

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

THE INTERCEPT MEDIA, INC.

Plaintiff	Case Number
vs.	1:24-cv-01515
OPENAI, INC., OPENAI GP, LLC, OPENAI, LLC, OPENAI OPKO LLC, OPENAI GLOBAL LLC, OAI CORPORATION, LLC, OPENAI HOLDINGS, LLC, MICROSOFT CORPORATION	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

THE NEW YORK TIMES COMPANY

Plaintiff	Case Number
vs.	23-cv-11195
MICROSOFT CORPORATION, OPENAI, INC., OPENAI LP, OPENAI GP, LLC, OPENAI, LLC, OPENAI OPKO LLC, OPENAI GLOBAL LLC, OAI CORPORATION, LLC, and OPENAI HOLDINGS, LLC	
Defendant	

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

Complaint was filed in December 2023. A motion to dismiss was filed February 26, 2024.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Both cases include Digital Millennium Copyright Act claims against the same defendants based on the same conduct by defendants in removing copyright management information from copyright-protected works in connection with training their artificial intelligence products. The related case also includes other claims not included in this case.

Signature: /s/ Stephen Stich Match Date: 2/28/2024

Loevy & Loevy

Firm: _____